### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GREENWOOD RACING INC., GREENWOOD GAMING AND ENTERTAINMENT, INC., RACETRACK OP CO., CITY TURF CLUB OP CO., TURF CLUB OP CO., and ACRA TURF CLUB, LLC,

No. 2:21-cv-01682-GJP

Plaintiffs,

v.

AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY and STEADFAST INSURANCE COMPANY,

Defendants.

## **NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Plaintiffs Greenwood Racing Inc., Greenwood Gaming and Entertainment, Inc., Racetrack Op Co., City Turf Club Op Co., Turf Club Op Co., and ACRA Turf Club, LLC appeal, pursuant to 28 U.S.C. § 1291, to the United States Court of Appeals for the Third Circuit from: (1) this Court's November 1, 2021 Memorandum and Order granting Defendant Steadfast Insurance Company's Motion to Dismiss (ECF Nos. 28 & 29); and (2) this Court's September 12, 2022 Memorandum and Order granting Defendant American Guarantee and Liability Insurance Company's Motion for Judgment on the Pleadings and directing that the above-captioned case be closed (ECF Nos. 42 & 43).

Dated: October 12, 2022 Respectfully submitted,

#### BLANK ROME LLP

### /s/ Michael A. Iannucci

Michael A. Iannucci (Pa. ID No. 206169)

One Logan Square Philadelphia, PA 19103 Telephone: (215) 569-5500

Fax: (215) 569-5555

Email: michael.iannucci@blankrome.com

Justin F. Lavella (admitted *pro hac vice*)

1825 Eye Street, N.W. Washington, D.C. 20006 Telephone: (202) 420-2200

Fax: (202) 420-2201

Email: justin.lavella@blankrome.com

Attorneys for Plaintiffs Greenwood Racing Inc., Greenwood Gaming and Entertainment, Inc., Racetrack Op Co., City Turf Club Op Co., Turf Club Op Co., and ACRA Turf Club, LLC

# **CERTIFICATE OF SERVICE**

I, Michael A. Iannucci, Esquire, hereby certify that on October 12, 2022, I caused a true and correct copy of the foregoing Notice of Appeal to be served via the Court's electronic filing system upon the following:

Susan M. Kennedy Wiggin & Dana LLP Two Liberty Place, Suite 2925 50 S. 16th Street Philadelphia, PA 19102 skennedy@wiggin.com

Attorneys for Defendant American Guarantee and Liability Insurance Company

William D. Wilson Mound Cotton Wollan & Greengrass LLP 30A Vreeland Road, Suite 210 Florham Park, NJ 07932 wwilson@moundcotton.com

Attorneys for Defendant Steadfast Insurance Company

/s/ Michael A. Iannucci
Michael A. Iannucci